

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2652 2754  
#5  
10/24/02

Applicants: Robert David Freeman, Thomas Edward Berg, David William Niss and  
Peter Jeffrey Raymond  
Assignee: DataPlay, Inc.  
Title: Tilt Focus Method And Mechanism For An Optical Drive  
Serial No.: 09/557,284 Filing Date: April 25, 2000  
Examiner: Unknown Group Art Unit: 2754  
Docket No.: M-8745 US

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Technology Center 2600

San Jose, California  
September 16, 2002

COMMISSIONER FOR PATENTS  
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**INFORMATION DISCLOSURE STATEMENT UNDER  
37 C.F.R. § 1.97(c) WITH CERTIFICATION UNDER  
37 C.F.R. §§ 1.97(e)(1) and 1.704 (d)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicants wish to call the following documents (copies enclosed) to the attention of the Examiner for the above-identified patent application. The documents were first cited by in the Notification of Transmittal of the International Search Report of the Declaration for the corresponding foreign PCT Application No. PCT/US02/08562 dated March 19, 2002.

A form PTO-1449 listing these documents is enclosed.

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or

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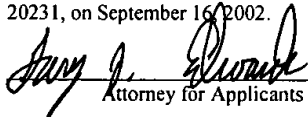
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3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

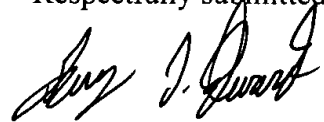
The undersigned hereby certifies in accordance with §§ 1.97(e)(1) and 1.704(d) that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement and this communication was not received by any individual designated in § 1.56(c) more than 30 days prior to the filing of this information disclosure statement.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on September 16, 2002.

  
Attorney for Applicants

9/16/02  
Date of Signature

Respectfully submitted,



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